

Docket No. ~~ORE~~1590

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : J. Guy Breitenbucher, *et al.*

Serial No. : 10/075,673

Filed : February 13, 2002

Title : Method for treating allergies using substituted pyrazoles

Examiner : Shengjun WANG

Confirmation Number: 2680

Art Unit
1617

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September 4, 2003

(Date of Deposit)

Jesús Juanós i Timoneda

(Name of applicant, assignee, or Registered Representative)

~~(Signature)~~

September 4, 2003

(Date of Signature)

Honorable Commissioner of Patents
Alexandria, Virginia 22313-1450

Response “A”

Dear Sir:

In response to the Office Action dated August 14, 2003, (hereinafter the “Office Action”) Applicants submit the present response. No amendments are hereby introduced.

Regarding the restriction requirement, Applicants do hereby elect claims in Group II (n = 1 in compounds recited in such claims).

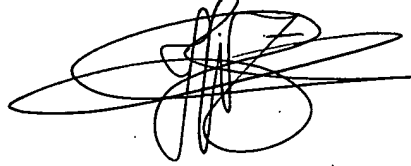
Applicants thank the Examiner for the telephone conference on August 29, 2003, in which Applicants' representative requested clarification on the species referred to in the Office Action and on the criterion used to classify such species. In the Examiner's reply, Applicants were directed to identify a type of compound for the purpose of suggesting a search direction in light of the plurality of compounds that fall within the scope of the generic claims 1-8. In response to the Examiner's direction, Applicants identify without prejudice as follows:

Examples of compounds within the scope of claims in Group II include derivative compounds of the (4-{3-[(3-phenyl)-4,5,6,7-tetrahydro-pyrazolo[4,3-c]pyridin-1-yl]propyl}-piperazin-1-yl)-benzene structure. More particular examples within this Group include the compounds named in Examples 11, 16, 17, 19, 21, 25-32, 34-45, Application, pp. 61, 72-78, 84-87, 89-91, 96-98, 99-102. The compound 1-[4-(2-amino-6-chloro-phenyl)-piperazin-1-yl]-3-[5-methanesulfonyl-3-(4-trifluoromethyl-phenyl)-4,5,6,7-tetrahydro-pyrazolo[4,3-c]pyridin-1-yl]-propan-2-ol (Example 25, Application, p. 96) illustrates a fully named compound among such examples.

Applicants reserve the right to traverse any species election requirement until the time Applicants are notified of a concrete species classification for election purposes, if one were eventually asserted.

Applicants respectfully request favorable consideration of the present Response to place the present application in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

By: Jesús Juanós i Timoneda, PhD
Reg. No. 43,332

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Dated: September 4, 2003